

NEW ENGLAND CO. OPENS ITS CASE

To Show Public Service Commission Profits Less Than Two per Cent.

NOT OPPOSING JURISDICTION

Statement of Counsel Stickney Regarding Insinuations—Ovitt Concludes Testimony of Independents.

Montpelier, Oct. 9.—After spending more than a week in investigating the independent telephone companies operating in Vermont, the public service commission this afternoon reached the conclusion that the companies subsidiary to the New England, the Champlain Valley Telephone company.

C. Stickney, counsel for the New England company, stated that the Champlain Valley, the Franklin County Telephone company, the Vermont and the New England company were so closely connected that they desired to have their cases taken up together, so that would tend to expedite business.

Mr. Stickney asked if the report of the special commission was to be considered as a part of the case. Chairman Bacon informed him that the report was in the nature of a complaint on the part of the state and would be considered as such, and that its allegations would not be considered as evidence.

Mr. Stickney said in presenting the case: "As a right of the company I represent, a company appearing before a fair tribunal, I think I should take this opportunity to say just one word in reference to what has been said as to an attack upon the jurisdiction of this commission being authorized, sanctioned in any way by the state of Vermont. I wish to take this opportunity to say that instead of attacking the jurisdiction of this commission, the New England company very gladly submits to the jurisdiction of this commission in this respect, as an agency of the state of Vermont, as created under a law which the New England company is in a large degree instrumental in putting upon the statute books of this state. I think that is all I care to say, and I take this opportunity to say it, and I hope the commission will pardon me if I have gone outside the record. But, of course, we do not know just exactly how widespread or how insidious may be the influence of insinuations which are made in a way that cannot be publicly met. Fortunately for the company this insinuation can be publicly met here, and I now meet it by saying what I have said."

STATEMENT BY MR. JONES.
The case was opened by Matt H. Jones, general counsel for the New England company, who said in his opening statement:

"It is apparent from the discussion that has arisen over the present proceeding that the situation of the companies furnishing telephone service in this state is not so fully understood as it should be, and in consequence the New England Telephone and Telegraph company and its subsidiaries welcome the opportunity to show to your honorable commission and to the people of Vermont the true situation of their affairs in this state."

"We shall show to you that the fair value of the property of the New England Telephone and Telegraph company in Vermont and its subsidiaries, the Champlain Valley Telephone company, the Franklin County Telephone company, and the Vermont Telephone and Telegraph company, which operate wholly within this state, is in excess of three millions of dollars."

"We shall show you the figures relative to these companies as a whole, because we learn that there has been criticism of the contractual relations existing between these companies, and because we understand it has been claimed by the special counsel that in some way or other not clear to us, the New England Telephone and Telegraph company has devoted a great portion of its resources with these subsidiaries, and if the companies are considered as a whole, all questions of this kind are absolutely eliminated."

"We shall show you that the earnings from the Vermont business of the companies in operation for the year 1912, the last complete year prior to the filing of these proceedings, were \$207,975.50. We shall show you that the expenses of these companies during the same period in the conduct of that business amounted to \$43,238.16, without any deductions on account of interest on debts or dividends on stock, and that the net profit of the companies on their Vermont business during the year in question was less than two per cent. We shall show you, if you desire to go further into the matter, that the year 1912 was not materially different in its profits from the years which have preceded it, and we shall submit to your honorable commission that under such circumstances it is impossible to find that the rates of the company are unreasonable for the class of service furnished."

VICE-PRESIDENT FIRST CALLED.
E. K. Hall, vice-president of the New England company, was the first witness called. He stated that the company was organized in 1885 as a consolidation of various independent companies and in response to a demand for a unification of service.

Mr. Hall went thoroughly into the problems that have been confronted and solved in the development of telephone business, such as the improvement of instruments and switchboards, the necessary change from ground to metallic circuits and the use of underground wires and cables made necessary by the congestion of wires in the increase of the business.

As an instance of the rapid development and the changes it makes necessary, he stated that some years ago the company installed the largest switchboard in the world at a cost of more than \$300,000, and before it was entirely completed it had been rendered obsolete by the common battery system.

A subsidiary company Mr. Hall explained to be one in which the New England has such an interest that it

considers itself responsible for its management. The company with its subsidiaries operates 45,211 stations. In Vermont it has 12,295 stations of its own and 23,917 including those of subsidiary companies. It has 327 switchboards, of which 53 are in Vermont.

He went into a long detailed explanation of the company's business and methods. Early rates, he said, were necessarily experimental. The only time the company has made any general rate of rates was at the time of changing from ground to metallic circuits in the early '90s. Such changes as have been made in recent years have been downward so that the average revenue of the company per station to-day is lower than ever before in its history.

Mr. Hall made a careful explanation of the various matters of expense that must be given consideration in the fixing of rates, and also showed how there is a disproportionate increase of expense as compared with the increase in the number of subscribers.

OVITT FINISHES TESTIMONY.
At the morning session of Oct. 12, Ovitt of Enosburg resumed the stand and was questioned further regarding the Citizens company.

He gave these figures of construction cost: 1908, \$30,000; 1909, \$34,000; 1910, \$38,000; 1911, \$38,000; 1912, \$45,000. The reduction in 1910 was due to writing off \$10,000 of plant valuation as a result of an examination and appraisal of the plant by Mr. Bacon of the New England company.

Mr. Ovitt was questioned at length by Mr. Graham regarding the purchase of the lines in Greenbush and Craftsbury last May and was asked if he was not a part of a deal under the name of the New England company. These lines were owned by Mr. Harkness of Harkness and were bought for about \$12,000, and in the trade Mr. Ovitt exchanged a "dead" line in Albany. The Citizens company was being business in competition with the Harkness lines in certain of the territory owned by the lines bought last spring.

Mr. Graham's questioning of the witness was directed to drawing out the fact that this purchase was the result of some sort of a conspiracy with the New England to avoid competition and to monopolize territory. It appeared, however, that the Citizens company was using most of the lines bought in this manner and that the consolidation was reasonable business move, though the Ovitt interests acquired very little new territory.

FREE SERVICE EXCHANGED.
Some stress was laid on the fact that in the division of territory after their purchase certain free service was cut off, so that some subscribers living close together, receiving service from different companies, could not talk with each other without paying toll. It proved, however, that the free service was the same as before the change of ownership except in the Harkness exchange and subscribers in that exchange had free service with Greenbush and Craftsbury. This Mr. Ovitt considered an improvement and a concession to the subscribers, as the natural trend of business is toward Harkness, the larger town.

Mr. Ovitt is also manager of the Northern Telephone company, operating in nine towns in the northern part of Franklin county. This company was organized in 1906 with a capital stock of \$2,000, which has gradually been increased to \$45,000. The present value of the plant is \$51,231. No dividends were paid until 1902, when a dividend of 10 per cent. was declared. Six per cent. has been paid since that time, and in 1912, 10 per cent. was paid and in 1913, 10 per cent. was paid. The proposed reduction in rates, with 1,000 subscribers, would reduce the income about one-third or to \$4,444.

The rates at the Enosburg and Richmond exchanges are \$4 for business phones and \$2 for residences, on single party lines and on party lines. At Swanton the rate is \$1.50 per month or \$18.00 a year for subscribers within one mile and \$15 for others. Service is free between Richmond and Enosburg and between Swanton and Highgate.

The company owns a building in Enosburg valued at \$7,500, built with borrowed money, and part of the loan was repaid by a stock dividend of \$500.

MISSIONARIES STARVED.

Harrowing Experiences of Workers in China at Hands of Brigands.

Peking, Oct. 9.—The harrowing experiences of the missionaries, who fell into the hands of the Chinese brigands under the leadership of "White Wolf" at Tsaochang, were related today in a dispatch from the Rev. Christian Stokstad of the Hauges Norwegian mission.

The Rev. Mr. Stokstad declared that when the government troops entered Tsaochang they found the two missionaries, the Rev. George Holm and the Rev. P. Fauske, were merely living skeletons. The children had been for three days under a heap of straw. For the first three days they were without water. Afterward water was obtainable but the captives were without food on several occasions. The bandits searched their hiding place and thrust their bayonets through the straw, grazing the faces of these hideous captives.

When the brigands discovered that the captives were women and children they treated them well, letting them at the captives' lodgings.

The belief prevails in Peking that the brigands probably became frightened lest the foreigners should take action.

Another dispatch from the Rev. Mr. Stokstad says that the brigands escaped toward Shiyeh in the province of Honan. The departure came as a surprise. Further reports from the southern part of the province of Honan state that other detachments of "White Wolf" followers have captured other towns.

TELLS BASIS OF TELEPHONE RATES

Vice-President of New England Company Shows How Expenses Increase.

SHORT SESSION AT CAPITAL

Public Service Commission Adjourned to Monday with Mr. Hall Still on the Stand.

Montpelier, Oct. 10.—When the public service commission adjourned the telephone hearing this noon it was to resume Monday afternoon at two o'clock, as Chairman Bacon and the commission have some other business that must be taken up.

Vice-President Hall of the New England company took the stand again this morning and read a paper which he had prepared. He took up the matter of rates, going over the ground with a preliminary statement to show what things must be considered in fixing rates, and showed how expenses increased and new units of expense appeared with the expansion of telephone business. A summary of his testimony follows:

As an exchange grows from its first small proportions it becomes necessary to have some one in charge and the salary of a manager is added. In the larger exchanges, for every eight operators there must be a supervisor, or senior operator. When there are six or more supervisors there must be a chief operator and assistant chief operator to supervise the supervisors. The information operator early becomes a necessity, so that as business increases new units of expense are added.

The fundamentally important matter is the use made of the telephone, the service secured from it. In an exchange with 5,000 subscribers, each subscriber can talk with 5,000 other subscribers, while in an exchange with 500 each subscriber can talk with only 499 others, so he will naturally make less use of the instrument, and it is the fact that the average use of the instrument is greater in large than in small exchanges, and this greater service makes more expense for the company.

VERMONT IN LOWEST GROUPS.
In Vermont all the exchanges are in the three lowest groups, or the three smallest exchanges, and the proportion of calls is plainly shown. In class 3, the smallest, the average number of calls per day is 3.5, in class 2, 5.2, and in class 1, 6.3.

In the early days of telephoning the rates were classified according to the population of the territory served. This worked ineffectually. Springfield, Mass., with a population of 126,000 and Fall River with 124,000 were placed in the same class. Eventually Springfield had 12,000 phones and Fall River 1,500, showing that the classification was incorrect.

Other methods of arranging rates were tried but did not prove entirely satisfactory, and after an investigation by the Massachusetts commission covering a period of four years, with a complete inventory of the company's property, a change of rates and of the method of fixing rates was made, involving a reduction of more than 100,000 in the revenues of the company.

The inventory of the plant was made by or under the direction of D. C. Jackson of Boston.

"What not the claim made?" asked Mr. Graham. "That hearing," said Mr. Jackson, "was under the influence of the New England company."

"Almost every nasty insinuation was made that could be made and that was one of them," replied Mr. Hall.

"Mr. Jackson has since been made chief consulting engineer for the British government, in charge of the entire force of engineers in taking over the British telephone lines by the government."

HAZARDS TO THE BUSINESS.
As showing the hazard to which the business is subjected, Mr. Hall cited the sheet storm of February, 1908, which caused an expense to the company of more than half a million dollars. When such disasters as this occur they cannot be repaired with regard to economy. The damage must be repaired as quickly as possible without regard to expense.

Mr. Hall submitted a rate chart showing the eight groups of classes with the number of the company's property, a statement of the localities served, percentage of stations to population and rates.

Vermont towns are all in the three lowest groups, 6, 7 and 8. In group 6, which includes Burlington and Rutland, the average number of subscribers is 1,551, stations 1,524, population 18,571, percentage of stations to population 8.3. There are 17 exchanges in the group. The one-party

business rate is \$29, residence \$27; two-party, business \$30, residence \$21, six party \$18.

RATES IN OTHER GROUPS.
In group 7, including Bellows Falls, Bennington and Brattleboro, there is an average of 594 subscribers, 559 stations, population 10,000, percentage of stations to population 5.9. There are 49 exchanges. The one-party rate for business 'phones is \$36, residence \$27; two-party \$27 and \$21; six party \$18.

Group 8 includes White River Junction. There is an average of 150 subscribers in the 25 exchanges, 167 stations, 2,258 population and the percentage of stations to population 7.2. The rate for one party line is \$32 for business and \$24 for residence; two-party \$21 and \$21, and for six-party \$18.

Many Vermont towns are not included in this grouping which only shows those served by the New England company. Subsidiary companies and their rates, which are controlled and fixed by the New England, are compiled in a separate schedule.

VERMONT NOTES.

Mayor Henry C. Brillon's Honor System for Rutland Boys Fails.

The action of Mayor Henry C. Brillon of Rutland in putting boys on their honor in the matter of respecting property and public peace in autumn sports, particularly Halloween, is proving a failure, and the police will now take action against boys disturbing the peace.

For two nights the police have received a steady stream of complaints from housewives, annoyed by boys who smashed windows, stole cabbages, removed door steps, overturned hen houses and committed other offenses.

DIPHTHERIA IN PLAINFIELD.
Four of the children of Philip Poulton of Plainfield are ill with diphtheria, and the condition of one is critical. The school in the neighborhood has been closed and measures taken to check the spread of the disease.

BIG TIMBER LAND DEAL.
A section of timber land, approximately 1,000 acres in extent, and located in the valley known as Hill Hollow in Woodford, has been sold to the Webster Lumber company of Springfield, Mass. W. A. Vail, who owned the property, got a price several times what he paid for it.

HURT INTERNALLY BY FALL.
Martin Callahan of West Rutland, an employee at the car shop of the Rutland road, fell from a platform in the yard while loading a car with hay and received internal injuries. The platform broke, throwing him only about five feet, and in falling he struck a ladder.

VERMONT BREVITIES.
Cheney Brothers of Lyndonville, druggists for 21 years, have sold their business to A. W. Edmunds of Troy.

A. E. Wray of Bellows Falls stepped off a ladder to the floor and turned an ankle. A week later he discovered that a bone in the ankle had been broken.

George Norcross died Oct. 6 at East Rutland, aged 72 years. His death is the first among seven children of Mr. and Mrs. Moses Norcross. The youngest is now over 60 years of age.

Prof. J. J. Lechevalier of the University of Helsinki, Finland, an eminent geologist, is inspecting the slate and marble quarries of southern Vermont. He is one of a commission of three sent from the Finnish capital to study the character, relation and distribution of rock masses in the Appalachian system.

HIS GOOD EYE CUT BY STEEL.
Rafate Semank, a granite cutter of Barre, was struck in the right eye by a piece of steel or granite the other afternoon and may become totally blind. His other eye was hit by a piece of steel a year ago and a cataract has already destroyed its sight. He is 25 years old.

DROPPED \$500 IN STREET.
Roy Porter of Barre dropped a suit case containing \$500 in currency and check for \$100 in St. Johnsbury the other day and after it had been kicked about the sidewalk for an hour he returned and found the money untouched. The suit case fell out of the rear of his automobile and he had gone a considerable distance before he noticed his loss.

VERMONT BREVITIES.
The annual meeting of the Vermont Historical society will be held at its rooms in the State House at Montpelier Tuesday afternoon, October 14. Officers will be elected.

The old Episcopal rectory in Rutland, built over 100 years ago, is being altered and repaired by its present owner, Charles P. Harris. The first rectory of the Rutland Church lived there from 1832 to 1860.

The Colorado-Yule company, where many Rutland men are employed, is to supply the marble for the \$2,000, Lincoln Memorial temple to be built on the banks of the Potomac at Washington.

Fred Sweeney, 14, and George McFarrell, 14, brought back to Montpelier from Northampton, Mass., have been sentenced to the industrial school at Vergennes for the remainder of their minority. They were charged with stealing money from the home of B. Tomassi, Robert Osgood, 19, who was on probation on a charge of stealing turkeys and sheep, and who was also brought back from Northampton, will be sent to the house of correction to serve his sentence of 30 days.

Assignment of Judges.
Montpelier, Oct. 9.—The following assignment of judges for the ensuing year was agreed on by the superior judges at a meeting held here in connection with the opening of supreme court.

Miles, J. C.—Lamoille, December 2, 1913; Grant, Isle, January 15, 1914; Rutland, March 19, 1914; Bennington, June 2, 1914; Washington, September 8, 1914.

Waterman, J.—Addison, December 2, 1913; Franklin, March 19, 1914; Windsor, June 2, 1914; Windham, September 8, 1914.

Stanton, J.—Windham, December 2, 1913; Windham, April 7, 1914; Addison, June 2, 1914; Franklin, September 8, 1914.

Butler, J.—Orange, December 2, 1913; Orleans, March 19, 1914; Essex, April 28, 1914; Caledonia, June 2, 1914; Chittenden, September 8, 1914.

Fish, J.—Caledonia, December 2, 1913; Chittenden, March 19, 1914; Orange, June 2, 1914; Orleans, September 8, 1914; Essex, October 27, 1914.

Slack, J.—Bennington, December 2, 1913; Washington, March 19, 1914; Lamoille, June 2, 1914; Grand Isle, August 11, 1914; Rutland, September 8, 1914.

EXPLAINS COST OF 'PHONE SERVICE

Preparation and Furnishing the Two Elements, Says Vice-President Hall.

Montpelier, Oct. 10.—Vice-President E. K. Hall of the New England Telephone company continued his statement before the public service commission when it resumed its hearing of telephone matters this afternoon.

There are, he said, two elements entering into the cost of telephone service, preparation and furnishing. Some new construction is necessary before service can be commenced, and in this respect the telephone business differs from any commercial business. The cost of preparation can never be accurately determined, nor can the cost of furnishing, for it cannot be foretold what new construction will be necessary for any subscriber of what amount of character of service he will require.

The company tries to make a proper adjustment of rates so that no class of service and no exchange shall be operated at a loss.

COST AND VALUE OF SERVICE.
The cost and the value of the service are the two factors which are considered in fixing rates, and the value of the service is less in the small than in the large exchange.

In group 8, which includes the larger part of the Vermont territory, the rates are as follows: Business \$35, \$24, \$21; residence \$23, \$21, \$18. These rates are for one, two and six-party lines, respectively.

The preparatory cost may be as great for a residence as for a business connection, but the demand for use, that is, the service furnished, will be less, so a lower rate is established. The higher rate in either class of service is charged for the privilege of free use of the line.

The business man or the professional man frequently receives service much in excess of the rate that he ought to pay. A does not mean that he ought to pay a higher rate for the smaller business user, but the rate for the smaller business user will be modified in the charge by the items of cost.

GENERAL USE IS DESIRED.
The greatest value to the community as a whole will bring about the greatest use of the telephone in the community. "We believe the rates in Group 8 are just and reasonable. As we go from the smaller to the larger group the use of the telephone increases and the cost and the value of the service also increases."

While the rates are largely increased in the larger exchanges, provision is made for the smaller business user, by giving a measured service rate, based on a charge of five cents per call for the two larger groups and four cents in the third and fourth groups.

Going from the smaller to the larger groups, the business rates increase more rapidly than the residence rate, and the elements of use, cost and value increase more largely in business than in residence use.

The rates for the various groups were presented to the Massachusetts commission from time to time in the course of preparation and were approved by it, and on such approval it was deemed that they should be applied to the whole system and not to Massachusetts alone.

SCHEDULE BETTER BALANCED.
These rates have been put in force in Massachusetts, Vermont and New Hampshire and in Maine, and the results thus far show that it is better balanced than the old schedule. There was no increase in rates by the adoption of the new schedule and the company estimates its net yearly loss at more than \$200,000.

The effect of the changed rates has been to increase the number of single party lines. In Vermont the number of single party lines has increased from 12.5 to 15.4 per cent; two-party, from 20.5 to 28.5 per cent; while the multiparty lines decreased from 67.2 to 66.1.

Mr. Hall cited the changes made in the different groups in Vermont, showing that in all of the four subsidiary companies, the rates had been made or that changes in the character of service had been made.

BURLINGTON RATES CHANGED.
In Burlington, for instance, the business rates remained the same; the one-party residence rate dropped from \$30 to \$27; two-party from \$25 to \$21, and six-party from \$21 to \$18.

The rates of the subsidiary companies do not entirely follow those of the New England company. The independent companies, operating under a license from the American Bell Telephone company, fixed the rates as they pleased and there was a great variety.

As the New England company purchased these lines it did not always, for various reasons, make their schedules conform to the standard. A schedule of the rates of the four subsidiary companies was submitted, which showed that the rates are substantially the same as the New England, but there is an occasional slight difference sometimes higher, sometimes lower, in the charge for certain classes of service.

Adjustment was taken before Mr. Hall had finished.

Butler and Fish to Preside at Chittenden County Court Terms.
Montpelier, Oct. 9.—The following assignment of judges for the ensuing year was agreed on by the superior judges at a meeting held here in connection with the opening of supreme court.

Miles, J. C.—Lamoille, December 2, 1913; Grant, Isle, January 15, 1914; Rutland, March 19, 1914; Bennington, June 2, 1914; Washington, September 8, 1914.

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Women of Middle Age

From 40 to 50 Woman's Critical Period.

Such warning symptoms as sense of suffocation, hot flashes, severe headaches, melancholia, dread of impending evil, palpitation of the heart, irregularity, constipation and dizziness are promptly treated by intelligent women who are approaching the period of life.

This is the most critical period of woman's life and she who neglects the care of her health at this time invites incurable disease and pain. Why not be guided by the experience of others and take Lydia E. Pinkham's Vegetable Compound? It is an indisputable fact that this grand old remedy has helped thousands of women to pass through this trying period with comfort and safety. Thousands of genuine and honest testimonials support this fact.

From Mrs. HENRY HEAVILIN, Cadiz, Ohio.
Fort Worth, Texas.—"I have taken Lydia E. Pinkham's Vegetable Compound and derived great benefit from its use. It carried me safely through the Change of Life when I was in bad health. I had that all gone feeling most of the time, and headache constantly. I was very nervous and the hot flashes were very bad. I had tried other remedies and doctors, but did not improve until I began taking Lydia E. Pinkham's Vegetable Compound. It has now been some time since I took the Compound and I have had no return of my old complaints. I always praise your remedies to weak women."—Mrs. HEAVILIN, R. F. D. No. 5, Cadiz, Ohio.

From Mrs. EDWARD B. HILBERT, Fleetwood, Pa.
Fleetwood, Pa.—"During the Change of Life I was hardly able to be around at all. I always had a headache and I was so dizzy and nervous that I had no rest at night. The flashes of heat were so bad sometimes that I did not know what to do. One day a friend advised me to take Lydia E. Pinkham's Vegetable Compound and it made me a strong, well woman. I am very thankful that I followed my friend's advice, and I shall recommend it as long as I live. Before I took the Compound I was always sickly and now I have not had medicine from a doctor for years. You may publish my letter."—Mrs. EDWARD B. HILBERT, Fleetwood, Pa.

From Mrs. F. P. MULLENBORN, Munford, Ala.
Munford, Ala.—"I was so weak and nervous while passing through the Change of Life that I could hardly live. My husband had to nail rubber on all the gates for I could not stand to have a gate slam. I also had backache and a fullness in my stomach. I noticed that Lydia E. Pinkham's Vegetable Compound was advertised for such cases and I sent and got a bottle. It did me so much good that I kept on taking it and found it to be all you claim. I recommend it to all women afflicted as I was."—Mrs. F. P. MULLENBORN, Munford, Ala.

Write to LYDIA E. PINKHAM MEDICINE CO. (CONFIDENTIAL) LYNN, MASS., for advice. Your letter will be opened, read and answered by a woman and held in strict confidence.



MEXICANS KILLED SMALL INCREASE 100 FOREIGNERS IN THE CORN CROP

John Lind Admits Massacre at Government Reports Shortage of 752,000,000 Bushels below Last Year's Yield.

Washington, Oct. 9.—An improvement in the condition of the corn crop during the past month to the extent of 2,000 bushels in the estimated total production was the feature of the department of agriculture's October crop report, issued this afternoon. The report placed total production at 2,553,000,000 bushels, or 752,000,000 bushels below last year's record crop. Tobacco prospects increased 15 per cent during the month and fax 35 per cent, while prospects of rice decreased 74 per cent, buckwheat 47 per cent, and white potatoes 18 per cent.

The preliminary estimates of the production of spring wheat and all wheat place their yield at about the same quantity as predicted last month. Corn prospects increased 20 per cent, the preliminary estimate of production is 2,553,000,000 bushels, or 752,000,000 bushels below last year's record crop.

SUES FOR BROKEN BONE.
Summer Resident of Fair Haven Was Struck by Colling Umb.

Rutland, Oct. 9.—George De Vor, wealthy Philadelphian, who passes his summers at Fair Haven, is the plaintiff in a suit against Mrs. Julia G. Graves of Fair Haven for \$5,000 damages, the result of which was begun today in Rutland county court. While Mr. De Vor was walking on the sidewalk in front of Mrs. Graves' place in September, 1912, a limousine from a tree, which was in the way, struck him, breaking his collar bone and breaking his right arm. He asserts that he had no warning of the danger. After some evidence had been introduced counsel for the defense moved for a verdict for the defendant on the ground that Mrs. Graves hired an independent contractor to do the trimming and that the contractor, not the owner of the property, should have trimmed the tree. The judge refused to grant the verdict. T. W. McNeely and G. W. Platt of this city are counsel for the plaintiff and S. E. Everts of Granville, N. Y., and Joseph C. Jones of this city for the defendant.

CHRISTIAN ENDEAVORERS ELECTION.
The following officers were elected Oct. 8 at the annual meeting of the State Christian Endeavor association at Leitchfield, President, the Rev. W. E. Baker, Montpelier; vice-president, Wallace C. Gilpin of Burlington; secretary, Miss Belle Bates of Bennington; assistant secretary, Miss Irene Smith of Sandgate; treasurer, Chauncey Stone of Morrisville; James Chapman, superintendent of Morrisville; Mr. Ryder of Bristol; superintendent of missions, Mrs. Maude Davis of West River; superintendent of Bible study, an evangelist, the Rev. J. Harrison Thompson of Ludlow; general bureau of information for local conference, Miss Lou Smith of Sandgate; superintendent of production department, Mrs